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Dear Colleagues

Thank you for the Partnership Principles which you have proposed and which my officials have shown me.

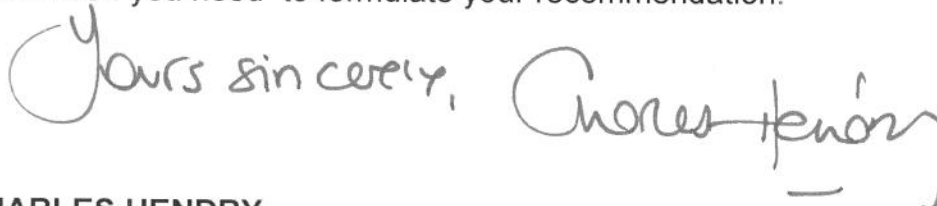
I warmly welcome the broad approach taken, and believe there is much common ground between us.

We all recognize that at this stage there is inevitable uncertainty relating to both the type and volume of waste and materials potentially requiring geological disposal and the capacity of a geological disposal facility itself.

The Managing Radioactive Waste Safely (MRWS) White Paper noted that any final agreement with a community on a preferred site for a geological disposal facility (GDF) would need to address possible changes to the inventory in future years. I therefore welcome your approach managing this uncertainty through aiming to set principles at this early stage which then govern how the issues are to be tackled as we go forward.

I set out the Department's initial more detailed responses to each of the Partnership Principles on the following page. I hope you will find them helpful. My officials stand ready to discuss any points of concern that you may have.

My officials will also work with you on the provision of the inventory statement which you have requested and will continue to work with the Partnership so that you will have the information you need to formulate your recommendation.

Yours sincerely,


CHARLES HENDRY

Partnership Principle 1. Government should make clear its commitment to agreeing with a Community Siting Partnership (CSP) what the inventory for disposal in a GDF will be. This agreement will be reached by the end of Stage 5 (surface based investigations). Subsequent significant changes to the inventory would be subject to an agreed inventory change process.

The Government fully accepts that participating communities will want to understand the potential inventory of waste to be disposed of in a GDF by the end of surface based investigations so as to decide whether to withdraw from the process at that point. The Government reaffirms its commitment to work with the NDA on further refining the expected inventory for the GDF so that any Community Siting Partnership can provide informed advice to local Decision Making Bodies on whether to move forward or to exercise their right of withdrawal at the end of Surface Investigation.

Even at that point there will be some uncertainty about the waste which will require geological disposal over the lengthy operational phase of a facility, but Government recognizes that communities will want to understand how the inventory may potentially change and what the effects of any such change may be on them.

Partnership Principle 2. Following any decision to participate, Government will enter into negotiation with a Community Siting Partnership to develop a mutually acceptable process for how the inventory for disposal in a GDF would be changed and for how host communities and the Decision Making Bodies (DMBs) can influence this. That process should be defined and agreed as a working draft by the end of Stage 4 (desk-based studies). The negotiation about a mutually acceptable process will agree the circumstances under which local DMBs should have a veto on changes to the inventory.

Following a decision to participate decision making bodies will be able to withdraw until a late stage in the process and this provides a route for communities to pull out of the process if they feel the impacts of a proposed inventory are unacceptable. Of course, the Government recognizes that communities will want the impacts of any changes to the inventory to be acceptable if a decision to participate is made and this is also reflected in the MRWS White Paper.

The Government would expect to develop a process for dealing with such changes during the desk based studies stage, although it is important to recognize that there is likely to be a considerable period of surface investigation during which the community can continue to withdraw from the process. This process might reach decisions based on pre-agreed principles. These principles may include, for example, the circumstances under which decision making bodies may feel the impacts of any change to the inventory to be unacceptable but should also recognize that estimates of future waste arisings are inherently variable and that geological disposal needs to provide a means to safely dispose of the higher activity radioactive waste in the UK which requires geological disposal.

Partnership Principle 3. During Stages 4 and 5 (desk-based studies and surface-based investigations), the Government will inform a Community Siting Partnership at the earliest opportunity when significant changes occur to (a) the baseline inventory and (b) the 'upper' inventory, and will clarify the implications for (i) the design of a GDF and surface facilities, (ii) the size of the underground footprint, (iii) the period of operation of the GDF, (iv) the developing GDF safety case, (v) the number of required GDFs and (vi) the use of alternative disposal methods.

During the desk based studies and surface based investigation stages Government will of course inform participating communities in a timely way when significant changes occur to estimates of the baseline inventory of waste expected to require geological disposal or to estimates of the upper inventory of waste which may be consigned to geological disposal.

When significant changes take place, for example when the UK Radioactive Waste Inventory is updated, Government will inform local communities of any resulting significant changes to (i) the design of a GDF and surface facilities, (ii) the size of the underground footprint, (iii) the period of operation of the GDF, (iv) the developing GDF safety case, (v) the number of required GDFs and (vi) the use of alternative disposal methods.

Partnership Principle 4. Government will provide an 'inventory statement' prior to local decision-making at the end of stages 3, 4 and 5 of the GDF siting process in order to inform a Partnership's recommendations at that time. The statement will describe the baseline and upper inventories and a high-level summary of the implications for aspects (i) to (vi) as stated in Principle 3.

Government will provide communities with the information described in response to Principle 3 above and will provide an inventory statement to the West Cumbria MRWS Partnership in the summer of 2011 reflecting the updated 2010 radioactive waste inventory.

We are committed to continuing to engage positively with Community Siting Partnerships to ensure wherever possible they have the information they require to inform recommendations and decision making as part of the MRWS process. We will therefore also produce inventory statements for any Community Siting Partnership during stages 4 and 5, unless an alternative approach is agreed.

However, as officials have previously discussed with the MRWS Partnership that we have concerns about the extent to which a *single* inventory statement document will provide the most appropriate means during stages 4 and 5 to provide timely, and potentially detailed information on all of the areas described under (i) to (iv) and believe flexibility should be retained if a decision to participate is made to ensure participating communities receive appropriate and clear information.

Partnership Principle 5. Each 'inventory statement' should include a high level overview of the main areas of research still to be undertaken to enable development of the GDF safety cases that would be associated with (a) baseline and (b) upper bound inventories.

The government attaches great importance to work on the GDF being underpinned by necessary research including research to underpin the development of safety cases. While, as described above, we have some concerns about whether inventory statements are the most effective approach we see no problem in providing a high level overview of the main areas of research still to be undertaken to support safety cases associated with baseline and upper bound inventories.

Partnership Principle 6. Government acknowledges that negotiations about Community Benefits will take account of any significant changes to the inventory.

Future discussions about the benefits that the communities would receive from hosting a GDF will need to consider the implications of significant changes to the inventory.